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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,319	07/10/2003	James G. Stanley	5701-01292	1318
22428	7590	07/18/2005	EXAMINER	
FOLEY AND LARDNER SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			DUNN, DAVID R	
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 07/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/604,319	Applicant(s) STANLEY, JAMES G.	
	Examiner David Dunn	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,7-12 and 14-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-12 and 14-18 is/are allowed.
- 6) ☒ Claim(s) 1 and 19-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/11/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responsive to the amendment filed May 11, 2005 and the Petition for Revival filed May 11, 2005, which was Granted as noted in the Decision mail June 30, 2005.

Information Disclosure Statement

2. The information disclosure statement filed May 11, 2005 is acknowledged. See enclosed IDS form.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 19-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Husby (5,996,421).

Husby discloses a carriage of a seat belt tension sensor, wherein the carriage (40, including sides, or stops, 41) is adapted to engage a webbing of seat belt (38) and the carriage is adapted to move relative to a first portion (22) of the seat belt tension sensor in opposition to at least one spring (36) acting between the first portion and the carriage, whereby the amount of movement is responsive to a tension in the seat belt, the carriage comprising: an opening (between lower ends of sides 47) adapted to receive the webbing of the belt, wherein the opening

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cooperates with a corresponding opening in the first portion of the tension sensor; and a protrusion (see Figure 2) extending from the carriage, wherein the protrusion extends beyond an outer surface spanning across the opening. The carriage is narrower than the opening (see lower walls of 41; Figure 3); i.e., this portion is a groove.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stojanovski (6,301,977) in view of Husby (5,996,421).

Stojanovski discloses a method of attaching a seat belt to a seat belt tension sensor, comprising: placing a webbing of the seat belt (12) through an opening in the seat belt tension sensor (50; see Figure 6; see also Figure 2), wherein said opening extends through a first portion of the seat belt tension sensor and through a carriage (30) of the seat belt tension sensor that is adapted to move relative to the first portion of the seat belt tension sensor when a tensile load applied to the webbing, wherein the opening through the first portion of the seat belt tension sensor is narrower than a nominal width of the webbing (40, 12; see Figure 7); and preventing the webbing from generating a non-negligible force over a measurement range as a result of rubbing against a lateral side of the opening in the tension sensor (see Figure 7; belt is folded to be smaller than the opening so that it does not touch the lateral sides, therefore, no rubbing

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occurs). As shown in Figure 2, the width is constrained by stitching (56); note stitching extends into folded, narrower portion of belt.

Stojanovski fails to show width of the opening of the tension sensor being wider than the opening in the carriage.

Husby is discussed above.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Stojanovski with the teachings of Husby to include a narrower opening in the carriage in order to better restrain the sides of the seat belt from touching the tension sensor.

Allowable Subject Matter

7. Claims 7-12 and 14-18 are allowed.

Response to Arguments

8. Applicant's arguments filed May 11, 2005 have been fully considered but they are not persuasive.

Regarding claim 19, applicant argues that Husby fails to disclose a carriage comprising "an opening..." First, applicant argues that element 41 is not a "carriage". It is noted that Applicant does not provide a definition of what a "carriage" is. Looking to the dictionary (Merriam Webster's Collegiate Dictionary, 10th edition), the closest definition that would apply to this usage is "a movable part of a machine for supporting some other movable object or part". The slide of Husby (element 40, which includes sides 41; seen in Figures 2-4) is clearly a movable part which supports another movable part (the seat belt).

Next, applicant argues even if the slide of Husby was a carriage, it does not disclose “an opening”. Again, from the dictionary, an opening is “something that is open”, “an open width: SPAN”. The slide 40 of Husby has “an opening” which extends between the bottom side portions 47 as seen in Figure 3. Between the side portions, the slide is “open”, that is, there are no barriers along the slide.

Conclusion

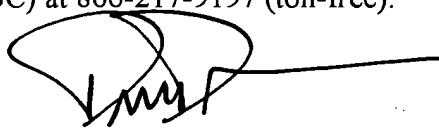
9. It is noted that this Office Action is non-final due to the new rejection of claim 1 (which includes the subject matter of prior claim 3).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Dunn whose telephone number is 571-272-6670. The examiner can normally be reached on Mon-Fri, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'David Dunn', with a long horizontal line extending to the right.

David Dunn
Primary Examiner
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